

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons which follow.

Figs. 4(c) and Fig. 7 have been amended as requested by the Examiner. Two replacement sheets containing Figs. 4(a)-4(e), 5(a-5(b), 6(a)-6(b) and Fig. 7 are attached.

Claims 4-18 are rejected under 35 U.S.C. § 112, second paragraph as indefinite. Amendments to the claims have been made where appropriate. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 1-17 are rejected based on the disclosure of WO00/64711, which was published on November 2, 2000. Applicants intend to rely the filing date of the priority application, Japanese Patent Application No. 2000-298157, filed on September 29, 2000, to antedate WO00/64711. A certified English translation of the priority application is attached hereto. Thus, the requirements of 37 C.F.R. § 1.55 have been met and withdrawal of the rejection is appropriate.

WO00/64711 is not prior art under 35 U.S.C. § 102(e) because WO00/64711 was filed before November 29, 2000. See MPEP § 706.02(a). Also, U.S. Patent No. 6,367,729 is not available under 35 U.S.C. § 102(e) as prior art against the present application pursuant to MPEP § 706.02(a), because “[w]hen examining a PG-PUB application, a U.S. patent granted on a 35 U.S.C. § 371 application has no reference date under 35 U.S.C. § 102(e).”

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would expedite allowance of the application.

Respectfully submitted,

Date: 6/6/2003

FOLEY & LARDNER
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5582
Facsimile: (202) 672-5399

By: Ld Sh

Howard N. Shipley
Attorney for Applicant
Registration No. 39,370

SHOULD ADDITIONAL FEES BE NECESSARY IN CONNECTION WITH THE FILING OF THIS PAPER, OR IF A PETITION FOR EXTENSION OF TIME IS REQUIRED FOR TIMELY ACCEPTANCE OF SAME, THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE DEPOSIT ACCOUNT NO. 19-0741 FOR ANY SUCH FEES; AND APPLICANT(S) HEREBY PETITION FOR ANY NEEDED EXTENSION OF TIME.